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November 11, 2007

The Honorable Mary Pat Thyng
U.S. District Court for the District of Delaware
844 North King Street, Lock Box 8
Wilmington, DE 19801

**RE: DAVIS, ET AL. v. MOUNTAIRE FARMS, INC., ET AL.
C.A. No. 04-414 *** - MPT**

Dear Judge Thyng:

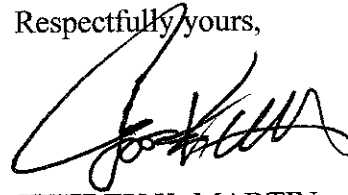
I am writing to Your Honor with regard to the status of the above-captioned matter. This matter was initially filed with the Court on June 21, 2004 and remains pending in the vacant judgeship. I write to the Court to express my concern about the stalled status of this matter wherein no significant activity has occurred in more than a year.

This delay is quite prejudicial to my clients. The lead Plaintiff, Willie Davis, Jr., is in poor health having retired from the poultry industry years ago and is suffering from heart problems. The other Plaintiffs each have significant financial needs that will be addressed by a resolution of this matter.

After winning a reversal at the United States Court of Appeals, this matter was returned to this Court whereupon Defendants filed a Motion for Partial Summary Judgment on September 15, 2006. (D.I. No. 68). The matter was fully briefed by November 10, 2006 (D.I. 79 following Answering Brief D.I. No 75).

I am respectfully requesting that the Motion for Partial Summary Judgment be submitted for disposition. Upon a ruling on same, I believe it likely that a resolution of this case may be facilitated by mediation. Further delay will be severely prejudicial to Plaintiffs herein.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Jeffrey K. Martin', written over the closing 'yours,'.

JEFFREY K. MARTIN

JKM:njj

cc: Matthew F. Boyer, Esquire
Eric Hemmendinger, Esquire